

**203 CMM-191-2014 in/and
FAO-M-464-2014**

**NEELAM
V/S
SUNIL KUMAR**

Present: Mr. Parminder Singh, Advocate,
for the appellant.

Mr. Kamal Chaudhary, Advocate,
for the respondent.

Appellant-applicant/wife has filed an application under Section 24 of the Hindu Marriage Act claiming that respondent-husband is working as Sales Manager in ING Insurance Company and is also working as property adviser earning sum of Rs.50,000/- per month. He is drawing monthly salary of more than Rs.30,000/- per month besides his income as property adviser. Reliance has been placed on the admission made by the respondent regarding his status as property adviser in a statement in criminal case. Appellant claims that she is incapable of earning.

Learned counsel for the respondent has submitted that respondent-husband is looking after a girl who has got dandy-walker disease in the cerebellum part of the brain and has to spend on her treatment.

We have heard learned counsel for the parties and gone through the facts and circumstances of the case.

Respondent-husband, is also facing contempt proceedings for re-marrying during the pendency of the appeal.

Without entering into the details of the controversy regarding his income, it is sufficient to mention here that he had been directed to pay a sum of Rs.3000/- per month as maintenance pendente lite. He has also been ordered to pay a sum of Rs.3500/- per month in proceedings under Section 125 Cr.P.C.

Taking into consideration the totality of the above said circumstances and taking a judicial notice of escalation of the prices, a sum of Rs.4000/- per month is considered to be a reasonable amount as maintenance pendente lite payable to the applicant-appellant with effect from the date of application. However, it is observed that a sum of Rs.3500/- awarded in proceedings under Section 125 Cr.P.C would be adjustable against the said amount. A sum of Rs.40,000/- is also awarded to the wife as litigation expenses.

The application under Section 24 of the Hindu Marriage Act is allowed in the above terms.

For payment of arrears of the maintenance, as calculated till 31.10.2017, and litigation expenses, to come up on 21.11.2017.

**(M.M.S. BEDI)
JUDGE**

August 28, 2017.
harsha

**(AUGUSTINE GEORGE MASIH)
JUDGE**